

**Calendar No. 312**

106TH CONGRESS  
1ST SESSION

**S. 1593**

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**A BILL**

To amend the Federal Election Campaign Act of  
1971 to provide bipartisan campaign reform.

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OCTOBER 8, 1999

Committee discharged; ordered to be placed on the  
calendar

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 1999

Mr. MCCAIN (for himself and Mr. FEINGOLD) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

OCTOBER 8, 1999

Committee discharged; ordered to be placed on the calendar

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**A BILL**

To amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bipartisan Campaign  
5 Reform Act of 1999”.

1 **SEC. 2. SOFT MONEY OF POLITICAL PARTIES.**

2 Title III of the Federal Election Campaign Act of  
3 1971 (2 U.S.C. 431 et seq.) is amended by adding at the  
4 end the following:

5 **“SEC. 323. SOFT MONEY OF POLITICAL PARTIES.**

6 **“(a) NATIONAL COMMITTEES.—**

7 **“(1) IN GENERAL.—**A national committee of a  
8 political party (including a national congressional  
9 campaign committee of a political party) and any of-  
10 ficers or agents of such party committees, shall not  
11 solicit, receive, or direct to another person a con-  
12 tribution, donation, or transfer of funds, or spend  
13 any funds, that are not subject to the limitations,  
14 prohibitions, and reporting requirements of this Act.

15 **“(2) APPLICABILITY.—**This subsection shall  
16 apply to an entity that is directly or indirectly estab-  
17 lished, financed, maintained, or controlled by a na-  
18 tional committee of a political party (including a na-  
19 tional congressional campaign committee of a polit-  
20 ical party), or an entity acting on behalf of a na-  
21 tional committee, and an officer or agent acting on  
22 behalf of any such committee or entity.

23 **“(b) STATE, DISTRICT, AND LOCAL COMMITTEES.—**

24 **“(1) IN GENERAL.—**An amount that is ex-  
25 pended or disbursed by a State, district, or local  
26 committee of a political party (including an entity

1 that is directly or indirectly established, financed,  
 2 maintained, or controlled by a State, district, or  
 3 local committee of a political party and an officer or  
 4 agent acting on behalf of such committee or entity)  
 5 for Federal election activity shall be made from  
 6 funds subject to the limitations, prohibitions, and re-  
 7 porting requirements of this Act.

8 “(2) FEDERAL ELECTION ACTIVITY.—

9 “(A) IN GENERAL.—The term ‘Federal  
 10 election activity’ means—

11 “(i) voter registration activity during  
 12 the period that begins on the date that is  
 13 120 days before the date a regularly sched-  
 14 uled Federal election is held and ends on  
 15 the date of the election;

16 “(ii) voter identification, get-out-the-  
 17 vote activity, or generic campaign activity  
 18 conducted in connection with an election in  
 19 which a candidate for Federal office ap-  
 20 pears on the ballot (regardless of whether  
 21 a candidate for State or local office also  
 22 appears on the ballot); and

23 “(iii) a communication that refers to a  
 24 clearly identified candidate for Federal of-  
 25 fice (regardless of whether a candidate for

1 State or local office is also mentioned or  
2 identified) and is made for the purpose of  
3 influencing a Federal election (regardless  
4 of whether the communication is express  
5 advocacy).

6 “(B) EXCLUDED ACTIVITY.—The term  
7 ‘Federal election activity’ does not include an  
8 amount expended or disbursed by a State, dis-  
9 trict, or local committee of a political party  
10 for—

11 “(i) campaign activity conducted sole-  
12 ly on behalf of a clearly identified can-  
13 didate for State or local office, provided  
14 the campaign activity is not a Federal elec-  
15 tion activity described in subparagraph  
16 (A);

17 “(ii) a contribution to a candidate for  
18 State or local office, provided the contribu-  
19 tion is not designated or used to pay for a  
20 Federal election activity described in sub-  
21 paragraph (A);

22 “(iii) the costs of a State, district, or  
23 local political convention;

24 “(iv) the costs of grassroots campaign  
25 materials, including buttons, bumper stick-

1           ers, and yard signs, that name or depict  
2           only a candidate for State or local office;

3           “(v) the non-Federal share of a State,  
4           district, or local party committee’s admin-  
5           istrative and overhead expenses (but not  
6           including the compensation in any month  
7           of an individual who spends more than 20  
8           percent of the individual’s time on Federal  
9           election activity) as determined by a regu-  
10          lation promulgated by the Commission to  
11          determine the non-Federal share of a  
12          State, district, or local party committee’s  
13          administrative and overhead expenses; and

14          “(vi) the cost of constructing or pur-  
15          chasing an office facility or equipment for  
16          a State, district or local committee.

17          “(C) GENERIC CAMPAIGN ACTIVITY.—The  
18          term ‘generic campaign activity’ means an ac-  
19          tivity that promotes a political party and does  
20          not promote a candidate or non-Federal can-  
21          didate.

22          “(c) FUNDRAISING COSTS.—An amount spent by a  
23          national, State, district, or local committee of a political  
24          party, by an entity that is established, financed, main-  
25          tained, or controlled by a national, State, district, or local

1 committee of a political party, or by an agent or officer  
 2 of any such committee or entity, to raise funds that are  
 3 used, in whole or in part, to pay the costs of a Federal  
 4 election activity shall be made from funds subject to the  
 5 limitations, prohibitions, and reporting requirements of  
 6 this Act.

7 “(d) TAX-EXEMPT ORGANIZATIONS.—A national,  
 8 State, district, or local committee of a political party (in-  
 9 cluding a national congressional campaign committee of  
 10 a political party), an entity that is directly or indirectly  
 11 established, financed, maintained, or controlled by any  
 12 such national, State, district, or local committee or its  
 13 agent, and an officer or agent acting on behalf of any such  
 14 party committee or entity, shall not solicit any funds for,  
 15 or make or direct any donations to, an organization that  
 16 is described in section 501(c) of the Internal Revenue  
 17 Code of 1986 and exempt from taxation under section  
 18 501(a) of such Code (or has submitted an application for  
 19 determination of tax exempt status under such section).

20 “(e) CANDIDATES.—

21 “(1) IN GENERAL.—A candidate, individual  
 22 holding Federal office, agent of a candidate or indi-  
 23 vidual holding Federal office, or an entity directly or  
 24 indirectly established, financed, maintained or con-  
 25 trolled by or acting on behalf of one or more can-

1        didates or individuals holding Federal office, shall  
2        not—

3                “(A) solicit, receive, direct, transfer, or  
4                spend funds in connection with an election for  
5                Federal office, including funds for any Federal  
6                election activity, unless the funds are subject to  
7                the limitations, prohibitions, and reporting re-  
8                quirements of this Act; or

9                “(B) solicit, receive, direct, transfer, or  
10                spend funds in connection with any election  
11                other than an election for Federal office or dis-  
12                burse funds in connection with such an election  
13                unless the funds—

14                “(i) are not in excess of the amounts  
15                permitted with respect to contributions to  
16                candidates and political committees under  
17                paragraphs (1) and (2) of section 315(a);  
18                and

19                “(ii) are not from sources prohibited  
20                by this Act from making contributions with  
21                respect to an election for Federal office.

22                “(2) STATE LAW.—Paragraph (1) does not  
23                apply to the solicitation, receipt, or spending of  
24                funds by an individual who is a candidate for a  
25                State or local office in connection with such election



1 for State or local office if the solicitation, receipt,  
 2 or spending of funds is permitted under State law  
 3 for any activity other than a Federal election activ-  
 4 ity.

5 “(3) FUNDRAISING EVENTS.—Notwithstanding  
 6 paragraph (1), a candidate may attend, speak, or be  
 7 a featured guest at a fundraising event for a State,  
 8 district, or local committee of a political party.”.

9 **SEC. 3. INCREASED CONTRIBUTION LIMITS FOR STATE**  
 10 **COMMITTEES OF POLITICAL PARTIES AND**  
 11 **AGGREGATE CONTRIBUTION LIMIT FOR INDI-**  
 12 **VIDUALS.**

13 (a) CONTRIBUTION LIMIT FOR STATE COMMITTEES  
 14 OF POLITICAL PARTIES.—Section 315(a)(1) of the Fed-  
 15 eral Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1))  
 16 is amended—

17 (1) in subparagraph (B), by striking “or” at  
 18 the end;

19 (2) in subparagraph (C)—

20 (A) by inserting “(other than a committee  
 21 described in subparagraph (D))” after “com-  
 22 mittee”; and

23 (B) by striking the period at the end and  
 24 inserting “; or”; and

25 (3) by adding at the end the following:

1 “(D) to a political committee established and  
 2 maintained by a State committee of a political party  
 3 in any calendar year which, in the aggregate, exceed  
 4 \$10,000.”.

5 (b) AGGREGATE CONTRIBUTION LIMIT FOR INDIVIDUAL.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended by  
 6  
 7 striking “\$25,000” and inserting “\$30,000”.

9 **SEC. 4. REPORTING REQUIREMENTS.**

10 (a) REPORTING REQUIREMENTS.—Section 304 of the  
 11 Federal Election Campaign Act of 1971 (2 U.S.C. 434)  
 12 is amended by adding at the end the following:

13 “(d) POLITICAL COMMITTEES.—

14 “(1) NATIONAL AND CONGRESSIONAL POLITICAL COMMITTEES.—The national committee of a  
 15 political party, any national congressional campaign  
 16 committee of a political party, and any subordinate  
 17 committee of either, shall report all receipts and dis-  
 18 bursements during the reporting period.

19  
 20 “(2) OTHER POLITICAL COMMITTEES TO WHICH  
 21 SECTION 323 APPLIES.—In addition to any other re-  
 22 porting requirements applicable under this Act, a  
 23 political committee (not described in paragraph (1))  
 24 to which section 323(b)(1) applies shall report all re-  
 25 ceipts and disbursements made for activities de-

1 scribed in subparagraphs (A) and (B)(v) of section  
 2 323(b)(2).

3 “(3) ITEMIZATION.—If a political committee  
 4 has receipts or disbursements to which this sub-  
 5 section applies from any person aggregating in ex-  
 6 cess of \$200 for any calendar year, the political  
 7 committee shall separately itemize its reporting for  
 8 such person in the same manner as required in para-  
 9 graphs (3)(A), (5), and (6) of subsection (b).

10 “(4) REPORTING PERIODS.—Reports required  
 11 to be filed under this subsection shall be filed for the  
 12 same time periods required for political committees  
 13 under subsection (a).”.

14 (b) BUILDING FUND EXCEPTION TO THE DEFINI-  
 15 TION OF CONTRIBUTION.—Section 301(8)(B) of the Fed-  
 16 eral Election Campaign Act of 1971 (2 U.S.C. 431(8)(B))  
 17 is amended—

18 (1) by striking clause (viii); and

19 (2) by redesignating clauses (ix) through (xiv)  
 20 as clauses (viii) through (xiii), respectively.

21 **SEC. 5. CODIFICATION OF BECK DECISION.**

22 Section 8 of the National Labor Relations Act (29  
 23 U.S.C. 158) is amended by adding at the end the fol-  
 24 lowing:

1       “(h) NONUNION MEMBER PAYMENTS TO LABOR OR-  
2       GANIZATION.—

3               “(1) IN GENERAL.—It shall be an unfair labor  
4       practice for any labor organization which receives a  
5       payment from an employee pursuant to an agree-  
6       ment that requires employees who are not members  
7       of the organization to make payments to such orga-  
8       nization in lieu of organization dues or fees not to  
9       establish and implement the objection procedure de-  
10      scribed in paragraph (2).

11              “(2) OBJECTION PROCEDURE.—The objection  
12      procedure required under paragraph (1) shall meet  
13      the following requirements:

14              “(A) The labor organization shall annually  
15      provide to employees who are covered by such  
16      agreement but are not members of the  
17      organization—

18              “(i) reasonable personal notice of the  
19      objection procedure, the employees eligible  
20      to invoke the procedure, and the time,  
21      place, and manner for filing an objection;  
22      and

23              “(ii) reasonable opportunity to file an  
24      objection to paying for organization ex-  
25      penditures supporting political activities

1           unrelated to collective bargaining, includ-  
2           ing but not limited to the opportunity to  
3           file such objection by mail.

4           “(B) If an employee who is not a member  
5           of the labor organization files an objection  
6           under the procedure in subparagraph (A), such  
7           organization shall—

8                   “(i) reduce the payments in lieu of or-  
9                   ganization dues or fees by such employee  
10                  by an amount which reasonably reflects the  
11                  ratio that the organization’s expenditures  
12                  supporting political activities unrelated to  
13                  collective bargaining bears to such organi-  
14                  zation’s total expenditures; and

15                  “(ii) provide such employee with a  
16                  reasonable explanation of the organiza-  
17                  tion’s calculation of such reduction, includ-  
18                  ing calculating the amount of organization  
19                  expenditures supporting political activities  
20                  unrelated to collective bargaining.

21           “(3) DEFINITION.—In this subsection, the term  
22           ‘expenditures supporting political activities unrelated  
23           to collective bargaining’ means expenditures in con-  
24           nection with a Federal, State, or local election or in

- 1 connection with efforts to influence legislation unre-
- 2 lated to collective bargaining.”.